

REMARKS

Claims 1-9 are all the claims pending in the application.

Drawings

The drawings are objected to because the numeral 302, which appears in Figs. 3-7, does not appear in the specification. The specification has been amended at page 9, paragraph 4, to insert the number.

Specification

The specification has been objected to because at page 9, line 4 the Examiner finds two periods (“..”). Applicant does not find any objectionable text at page 9, line 4 and has not been able to identify any other portion of the specification to which the Examiner may be referring. Applicant authorizes the Examiner to correct the double period error, by Examiner’s amendment.

Claim Rejection – 35 U.S.C. § 112

The Examiner rejects claims 7-9 as being indefinite under Section 112, paragraph 2 because of the lack of antecedent basis in several claims. Applicant traverses this rejection and respectfully submits that the lack of antecedent basis, if one even exists, is more properly a basis for objection, and not rejection. In the present case, any lack of antecedent basis is simply a matter of USPTO formality and does affect the patentability of the claim. The claim is clear, as one of ordinary skill would readily understand the metes and bounds of the claimed subject matter. However, in order to reduce the issues and to place the claims in condition for allowance without further objection, Applicant is amending claims 7-9 to provide antecedent basis. This amendment is not to be understood as an admission that the change goes to the patentability of the claim.

Claim Rejection – 35 U.S.C. § 103

Claims 1-9 are rejected as being unpatentable over Rieder (USP 5,769,718). This rejection is traversed.

The Examiner states that Rieder teaches a video game device that involves images of player characters and antagonists as well as background images. According to the Examiner, the reference system has a plurality of operational modes which are assigned to a character, and that permits a display of an image of a character in any of the operational modes, including states where the character has a weapon and moves while carrying a weapon (with reference to Figs. 4-8 and corresponding text). It appears that the Examiner concedes that limitations restricting the changing of the background images from the start until completion of a given operational mode, determining background images on the basis of video RAM capacity, displaying the player character in a state where it is carrying a weapon, a fighting mode and a moving mode are not found in Rieder, because the Examiner considers them to be “well known.”

Applicant respectfully refers the Examiner to Fig. 3 of Rieder, particularly steps S06 and S07, for an important distinction from the presently claimed invention. At those steps, changing between operational modes depends on the “display position of the character.” No other basis for changing is taught.

By contrast, in the present invention, the changing depends on the operation of a prescribed push button, as taught at page 8, lines 15-17 of the specification. Other manual controls may be used, as would be understood by one of ordinary skill in the art. In order to define this feature, the independent claims are being modified to specify that there is “switching

said background images from one to another in response to manipulation of an input device of the video game device after the completion of the predetermined particular operational mode.”

This step is part of an overall process that also includes restricting the switching of the background images from the start until the completion of a predetermined particular operational mode.

Applicant submits that this feature of switching in response to manual manipulation of an input device alone, or in combination with the step of restricting switching of the background until a particular operational mode is completed, is not taught in the Rieder patent. Thus, on the basis of this distinction, the claims all should be allowable.


In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Appln. No. 09/559,469

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

SUGHRUE, MION, ZINN,
MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


Alan J. Kasper
Registration No. 25,426

Date: August 9, 2001

APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is changed as follows:

Page 9, paragraph 4, which bridges over to page 10:

The differences in image display at the scene-to-scene boundary regions between moving mode and fighting mode are now described with reference to [Figs. 3 through 7] Figs. 3-7. Furthermore, Figs. 3, 4, 6 and 7 are scenes before movement, and Fig. 5 depicts a scene after movement. In these figures, 301 denotes a player character and 302 denotes a non-player character.

IN THE CLAIMS:

The claims are amended as follows:

1. (Amended) A method of displaying, in a video game device, an image of a player character and images of non-player characters, together with one type of background image from at least two or more switchable types of background images, comprising the steps of:
 - ˘ predetermining a plurality of operational modes which are assigned to said player character, and preparing an image corresponding to each operational mode;
 - ˘ displaying an image of the player character corresponding to any one of said plurality of operational modes and images of said non-player characters, simultaneously with any one of said background images;

restricting the [changing] switching of said background images from the start until the completion of a predetermined particular operational mode of said plurality of operational modes; and

switching said background images from one to another in response to manipulation of an input device of the video game device after the completion of the predetermined particular operational mode.

4. (Amended) A computer-readable storage medium storing an image display program for displaying an image of a player character and images of non-player characters, together with one type of background image from at least two or more switchable types of background image, in a video game device, comprising:

a region storing images corresponding respectively to a plurality of predetermined operational modes which can be adopted by said player character; and

a region storing an image display program for causing a video game device to implement processing for displaying an image of a player character corresponding to any one of said plurality of operational modes and images of non-player characters, simultaneously with any one of said background images, [and] processing for restricting the [changing] switching of said background images from the start until the completion of a predetermined particular operational mode of said plurality of operational modes, and processing for switching said background images from one to another in response to manipulation of an input device of the video game device after the completion of the predetermined particular operational mode.

7. (Amended) A storage medium storing a game program incorporating [the] an image display program, the image display program comprising the steps of :

predetermining a plurality of operational modes which are assigned to [said] a player character, and preparing an image corresponding to each operational mode;

displaying an image of the player character corresponding to any one of said plurality of operational modes and images of [said] non-player characters, simultaneously with any one of [said] background images; [and]

restricting [the] changing of said background images from the start until the completion of a predetermined particular operational mode of said plurality of operational modes; and

switching said background images from one to another in response to manipulation of an input device of the video game device after the completion of the predetermined particular operational mode.

8. (Amended) An optical disk storing a game program incorporating [the] an image display program , the image display program comprising the steps of :

predetermining a plurality of operational modes which are assigned to [said] a player character, and preparing an image corresponding to each operational mode;

displaying an image of the player character corresponding to any one of said plurality of operational modes and images of [said] non-player characters, simultaneously with any one of [said] background images; [and]

restricting [the] changing of said background images from the start until the completion of a predetermined particular operational mode of said plurality of operational modes; and switching said background images from one to another in response to manipulation of an input device of the video game device after the completion of the predetermined particular operational mode.

9. (Amended) A video game device internally comprising the storage medium storing a game program incorporating [the] an image display program , the image display program comprising the steps of :

predetermining a plurality of operational modes which are assigned to [said] a player character, and preparing an image corresponding to each operational mode;

displaying an image of [the] a player character corresponding to any one of said plurality of operational modes and images of [said] non-player characters, simultaneously with any one of [said] background images; [and]

restricting [the] changing of said background images from the start until the completion of a predetermined particular operational mode of said plurality of operational modes; and switching said background images from one to another in response to manipulation of an input device of the video game device after the completion of the predetermined particular operational mode.